

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT
MONDAY, NOVEMBER 15, 1999**

1

At 9:30 a.m., the court met in the Library & Courts Building to begin its regular court calendar session.

PRESENT: SCOTLAND, Presiding Justice
SIMS, Associate Justice
MORRISON, Associate Justice

Bailiff: Conrad
Calendar called.

Civil CYNTHIA PENA
No. v.
C031097 WAL-MART STORES INC.

Cause called. Craig A. Caldwell, of Porter, Scott, Weiberg & Delehant argued for Defendant-Appellant. Leon McCaslin, of McCaslin & McCaslin argued for Plaintiff-Respondent. Cause submitted.

Crim. THE PEOPLE
No. v.
C029332 HILTON ROYCE JACKSON

Cause called. Barbara Coffman argued for Defendant-Appellant. Anthony L. Dicce, Deputy Attorney General argued for Plaintiff-Respondent. Cause submitted.

At 10:13 a.m., court recessed. At 10:19 a.m., court reconvened with the same panel except Associate Justice Callahan in place of Associate Justice Sims.

Civil STAMAS CORPORATION
No. v.
C028495 MAHENDRA D. SHARMA

Cause called. Robert D. Collins, of Schei, Pendergast & Collins argued for Plaintiff-Appellant. Ronald H. Severaid, of Severaid & Nauman argued for Defendant-Respondent. Cause submitted.

MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT
MONDAY, NOVEMBER 15, 1999 CONTINUED

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At 10:49 a.m., court recessed. At 10:54 a.m., court reconvened with Acting Presiding Justice Blease, Associate Justice and Associate Justice Morrison.

Civil In re the Marriage of REX and DIANA KEARNEY
No. REX T. KEARNEY, JR.
C028674 v.
 DIANA M. KEARNEY

Cause called. Jay-Allen Eisen, of Eisen & Johnston argued for Appellant. Joan Wolff, of Wolff, Ellis & Clausen argued for Respondent. Cause submitted.

At 11:13 a.m., court recessed. At 11:15 a.m., court reconvened with the Acting Presiding Justice Blease, Associate Justice Morrison, and Associate Justice Hull.

Civil SOUTH BAY RIVER RAFTERS, INC.
No. v.
C029316 ANDREW W. KOVACH et al.

Cause called. C. Brian Martin, of Donahue, Donahue and Martin argued for Plaintiff-X-Defendant-Appellant. Howard S. Nevins, of Hefner, Stark & Marois argued Defendant-X-Complainants-Respondents. Cause submitted.

At 11:41 a.m., court recessed. At 2:00 p.m., court reconvened with Presiding Justice Scotland, Associate Justice Morrison, and Associate Justice Hull.

Civil UNITED PARCEL SERVICE et al.
No. v.
C029487 WORKERS' COMPENSATION APPEALS BOARD et al.

Cause called. Lynn M. Yempuku, of Katchis & Yempuku argued for Petitioners with additional citations. Victoria L. Katchis, of Katchis & Yempuku appeared for Petitioners but did not argue. Gary F. Woolverton argued for Respondent Catherine White. Cause submitted.

MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT
MONDAY, NOVEMBER 15, 1999 CONTINUED

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At 2:30 p.m., court recessed. At 2:33 p.m., court reconvened with Acting Presiding Justice Blease, Associate Justice Davis, and Associate Justice Kolkey.

Civil SACRAMENTO NECK & BACK PAIN CENTER et al.
No. v.
C028672 STATE FARM INSURANCE

Cause called. Timothy D. Murphy argued for Plaintiffs-Appellants. Betsy S. Kimball, of Hansen, Boyd, Culhane & Watson argued for Defendant-Respondent. Cause submitted.

At 3:09 p.m., court recessed. At 3:10 p.m., court reconvened with Acting Presiding Justice Blease, Associate Justice Sims, and Associate Justice Morrison.

Crim. THE PEOPLE
No. v.
C030293 NATHAN JOSHUA RAMAZZINI

Cause called. Charles M. Bonneau argued for Defendant-Appellant. No appearance was made on behalf of Plaintiff-Respondent as argued having been previously waived and approved. Cause submitted.

Court recessed at 3:29 p.m., until 9:30 a.m., Tuesday, November 16, 1999

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Crim. THE PEOPLE (Certified for Partial Publication)
No. v.
C030332 PAUL O. CHONG

The judgment is affirmed.

SCOTLAND, P.J.

We concur: BLEASE, J.
 MORRISON, J.

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT
MONDAY, NOVEMBER 15, 1999 CONTINUED**

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Crim. THE PEOPLE (Not for Publication)
No. v.
C030906 JERIMIAH HUBNER

The judgment is affirmed.

BLEASE, Acting P.J.

We concur: DAVIS, J.
CALLAHAN, J.

Crim. THE PEOPLE (Not for Publication)
No. v.
C032486 MICHAEL WILLIAMS

The judgment is affirmed.

SIMS, Acting P.J.

We concur: NICHOLSON, J.
KOLKEY, J.

Crim. THE PEOPLE (Not for Publication)
No. v.
C030608 TOMAS ISAAC FUENTES

The judgment is modified by striking the order to pay for medical or psychological treatment required by the minor victims, and by awarding defendant 155 days of custody credit and 76 days of conduct credit. As so modified, the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment and to forward a certified copy to the department of Corrections.

BLEASE, Acting P.J.

We concur: DAVIS, J.
RAYE, J.

Juvenile In re CHRASHAWNA D. et al.
No. DEPARTMENT OF HEALTH AND HUMAN SERVICES
C033448 v.
ELIZABETH O.
BY THE COURT:

No claim of error having been raised by appellant Elizabeth O., the appeal filed August 18, 1999, is dismissed as abandoned. (In re Sade C. (1996) 13 Cal. 4th 952, 994.)
November 15, 1999

SCOTLAND, P.J.

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT
MONDAY, NOVEMBER 15, 1999 CONTINUED**

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Crim. THE PEOPLE (Not for Publication)
No. v.
C029392 RODNEY DUANE ALLEN

The judgment (order denying the People's motion for reinstatement of charges under section 290) is reversed and the matter is remanded to the trial court with directions to grant the motion.

SIMS, Acting P.J.

We concur: CALLAHAN, J.
HULL, J.

Crim. THE PEOPLE (Not for Publication)
No. v.
C031762 KAREEM SHAMAR BROWN

The judgment is affirmed.

SIMS, Acting P.J.

We concur: NICHOLSON, J.
KOLKEY, J.

Crim. THE PEOPLE (Not for Publication)
No. v.
C032532 HOWARD LOUIS HARDIN

The judgment is affirmed.

SIMS, Acting P.J.

We concur: NICHOLSON, J.
KOLKEY, J.

Crim. THE PEOPLE (Not for Publication)
No. v.
C031992 ANNE MARIE HART

The judgment is affirmed.

SIMS, Acting P.J.

We concur: NICHOLSON, J.
KOLKEY, J.

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT
MONDAY, NOVEMBER 15, 1999 CONTINUED**

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Juvenile In re JONATHAN O., a Person Coming Under the Juvenile Court Law.
No. DEPARTMENT OF HEALTH AND HUMAN SERVICES
C032274 v.

CHRISTINE O.

BY THE COURT:

No claim of error having been raised by appellant Christine O., the appeal filed March 30, 1999, is dismissed as abandoned. (In re Sade C. (1996) 13 Cal. 4th 952, 994.)

Dated: November 15, 1999

SCOTLAND, P.J.

Crim. THE PEOPLE (Not for Publication)
No. v.

C031211 ERIC ANTHONY AINBINDER

The judgment is affirmed.

DAVIS, J.

We concur: BLEASE, Acting P.J.
RAYE, J.

Crim. THE PEOPLE (Not for Publication)
No. v.

C032644 MARK STEVEN MORATZ

The judgment is affirmed.

SCOTLAND, P.J.

We concur; DAVIS, J.
MORRISON, J.

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT
TUESDAY, NOVEMBER 16, 1999**

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At 9:35a.m., the court met in the Library & Courts Building for a continuation of court calendar session.

PRESENT: SIMS, Acting Presiding Justice
 RAYE, Associate Justice
 CALLAHAN, Associate Justice

Bailiff Rios
Calendar called.

Crim. THE PEOPLE
No. v.
C027774 TIMOTHY JOSEPH SEEBOTH

Cause called. Eileen Kotler, court appointed counsel argued for Defendant-Appellant. No appearance was made on behalf of Plaintiff-Respondent as argued having been previously waived and approved. Cause submitted.

Court recessed at 9:45 a.m., until 9:30 a.m., Wednesday, November 17, 1999

Civil MARCIE SANCHEZ, a Minor, etc. (Not for Publication)
No. v.
C030455 CSK AUTO, INC.

The judgment is affirmed.

SCOTLAND, P.J.

We concur: DAVIS, J.
 KOLKEY, J.

Crim. THE PEOPLE (Not for Publication)
No. v.
C028989 KORY WAYNE GIBSON

The judgment is affirmed.

MORRISON, J.

We concur: SIMS, Acting P.J.
 KOLKEY, J.

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT
TUESDAY, NOVEMBER 16, 1999 CONTNUED**

8

Crim. THE PEOPLE (Not for Publication)
No. v.
C030288 ROBERT CLINTON BRYANT

The judgment is modified to an indeterminate term of 25 years to life for the underlying offense (burglary) and a determine term of 25 years, 5 years for each prior serious felony conviction, for a n aggregate prison term of 50 years to life. The trial court is directed to prepare an amended abstract of judgment and to forward a certified copy to the Department of Corrections. As modified, the judgment is affirmed.

MORRISON, J.

We concur: SCOTLAND, P.J.
 SIMS, J.

Juvenile In re SAMANTHA A., a Person Coming Under the Juvenile Court Law.
No. DEPARTMENT OF HEALTH & HUMAN SERVICES et al.
C032356 v.
 JANET E.

The orders of the juvenile court are affirmed.

NICHOLSON, J.

We concur: SIMS, Acting P.J.
 KOLKEY, J.

Civil COUNTY OF PLACER (Not for Publication)
No. v.
C030582 PAUL L. GUNTER

The judgment is affirmed.

NICHOLSON, J.

We concur: SCOTLAND, P.J.
 SIMS, J.

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT
WEDNESDAY, NOVEMBER 17, 1999**

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At 9:30 a.m., the court met in the Library & Courts Building for a continuation of court calendar session.

PRESENT: SIMS, Acting Presiding Justice
 DAVIS, Associate Justice
 NICHOLSON, Associate Justice

Bailiff Rios
Calendar called.

Civil QUILA BEVERLY
No. v.
C031293 ELOISE ANDERSON, as Director, etc.

Cause called. Michael V. Hammang, Deputy Attorney General argued for Defendant-Appellant. Stephen Goldberg, of Northern California Lawyers for Civil Justice argued for Plaintiff-Respondent. Grace A. Galligher, Directing Attorney appeared for Plaintiff-Respondent but did not argue. Cause submitted.

Crim. THE PEOPLE
No. v.
C030316 JAMES FRANKLIN POLAND

Michael Satris, court appointed counsel argued for Defendant-Appellant. Craig S. Meyers, Deputy Attorney General argued for Plaintiff-Respondent. Cause Submitted.

At 10:35 a.m., court recessed. At 10:40 a.m., court reconvened with the same panel except Associate Justice in place of Acting Presiding Justice Sims.

Civil IRON MOUNTAIN ACQUISITION COMPANY, INC. et al.
No. v.
C030739 SPENCER WESTON

Cause called. Nolan E. Clark, of Watkins & Watkins argued for Plaintiff-Appellants. Peter S. Gregorovic, of Fredrickson, Mazeika & Grant argued for Defendant-Respondent. Cause submitted.

Court recessed at 11:13 a.m., until 9:30 a.m., Thursday, November 18, 1999

WEDNESDAY, NOVEMBER 17, 1999 CONTINUED

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Civil ANTONIO M. LEDOUX, A Minor etc.
No. v. (Not for Publication)
C029479 WILLIAM DEITRICH

The judgment is reversed, and the matter remanded to the trial court with directions to enter a new order denying defendant's motion for summary judgment. Plaintiff shall receive his costs on appeal. (Cal. Rules of Court, rule 26(a).)

SCOTLAND, P.J

We concur: BLEASE, J.
 MORRISON, J.

Juvenile THERESA G. (Not for Publication)
No. v.
C033632 THE SUPERIOR COURT OF SACRAMENTO COUNTY
 SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND HUMAN
 SERVICES et al.

Let a peremptory writ of mandate issue, directing respondent juvenile court to vacate its orders denying reunification services and scheduling a section 366.26 hearing, and to conduct further proceedings consistent with statutory requirements. Petitioner's request for stay is denied as moot. This decision is final forthwith. (Cal. Rules of Court, rule 24(d).)

SCOTLAND, P.J.

We concur: DAVIS, J.
 MORRISON, J.

Crim. THE PEOPLE
No. v.
C025164 DAVID RIZO
 BY THE COURT:

Pursuant to the directions of the order dated November 10, 1999, from the Supreme Court of California, the decision of this court dated February 11, 1998 is vacated.
November 17, 1999.

NICHOLSON, Acting P.J.

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT
WEDNESDAY, NOVEMBER 17, 1999 CONTINUED**

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Crim. THE PEOPLE (Not for Publication)
No. v.
C029417 JAMES LEON THOMPSON

The judgment is affirmed.

MORRISON, J.

We concur: BLEASE, Acting P.J.
RAYE, J.

Civil MICHAEL KISS
No. v.
C031373 PHILLIP LATHAM
Civil MICHAEL KISS
No. v.
C031666 PHILLIP LATHAM
BY THE COURT:

Pursuant to the written request of cross-appellant, Michael Kiss, the cross-appeal in C031373, filed January 4, 1999, is dismissed. It is further ordered that the remittitur on the cross-appeal in C031373 issue forthwith. (See California Rules of Court, rule 19(b).)

The dismissal does not affect the remaining appeals in C031373 and C031666.

Dated: November 17, 1999

SCOTLAND, P.J.

THURSDAY, NOVEMBER 18, 1999

At 9:30 a.m., the court met in the Library & Courts Building for a continuation of court calendar session.

PRESENT: BLEASE, Acting Presiding Justice
NICHOLSON, Associate Justice
MORRISON, Associate Justice

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT
THURSDAY, NOVEMBER 18, 1999 CONTINUED**

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Civil MICHAEL POWERS
No. v.
C030658 COUNTY OF ALPINE et al.

Cause called A. Charles Dell' Ario, argued for Plaintiff-Appellant. Tory E. Griffin, of Downey, Brand, Seymour & Rohwer argued for Defendants-Respondents County of Alpine et al. Timothy M. Smith, of McKinley & Smith argued for Defendant-Respondent Ari Makin. Cause submitted.

Court recessed at 10:01 a.m., until 9:30 a.m., Friday, November 19, 1999.

Juvenile In re SEAN B., a Person Coming Under the Juvenile Court Law.
No. THE PEOPLE
C033189 v.
 SEAN B.
 BY THE COURT:

Appellant having been notified pursuant to rule 17(a) of the California Rules of Court and having failed to file the appellant's opening brief, the appeal filed on July 16, 1999, is dismissed.

Dated: November 18, 1999

SCOTLAND, P.J.

Civil DENISE M. HAYES (Not for Publication)
No. v.
C031707 DENNIS RICHARD REEVES

The judgment (order) is affirmed.

NICHOLSON, J.

We concur: BLEASE, Acting P.J.
 HULL, J.

Crim. THE PEOPLE (Not for Publication)
No. v.
C032279 BENJAMIN ADAM DETRANT

The judgment is affirmed.

KOLKEY, J.

We concur: SIMS, Acting P.J.
 NICHOLSON, J.

THURSDAY, NOVEMBER 18, 1999 CONTINUED

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Crim. THE PEOPLE (Not for Publication)
No. v.
C031478 NOEL ANTHONY MACHADO

The judgment is affirmed.

KOLKEY, J.

We concur: SIMS, Acting P.J.
 NICHOLSON, J.

Crim. THE PEOPLE (Not for Publication)
No. v.
C032066 LARRY JOHNSON

The judgment is affirmed.

KOLKEY, J.

We concur: SIMS, Acting P.J.
 NICHOLSON, J.

Crim. THE PEOPLE (Not for Publication)
No. v.
C031436 JAMON TYREE LYONS

The judgment is affirmed.

SIMS, J.

We concur: BLEASE, Acting P.J.
 NICHOLSON, J.

Civil MELVA B. TORGERSON et al.
No. v.
C033713 NICHOLAS A. JAROS et al.
BY THE COURT:

Pursuant to the written request of the appellants, the appeal filed September 21, 1999, is dismissed. It is further ordered that the remittitur issue forthwith. (See Cal. Rules of Court, rule 19(b).)

Dated: November 18, 1999

SCOTLAND, P.J.

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Civil	RT ENGLISH CONSTRUCTION COMPANY
No.	v. (Not for Publication)
C031260	STATE OF CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATION et al.

The judgment is reversed, and the matter remanded to the trial court with directions to enter judgment denying English Construction's writ petition. The parties shall bear their own costs on appeal. (Cal. Rules of Court, rule 26(a).)

KOLKEY, J.

We concur: SCOTLAND, P.J.
CALLAHAN, J.

Crim. TH EPEOPLE (Not for Publication)
No. v.
C031721 STEEN LAWRENCE HENDERSON

The judgment is modified to impose a restitution fine of \$3,600 pursuant to Penal Code section 1202.45, to be suspended unless defendant's parole is revoked. The trial court is directed to prepare an amended abstract of judgment to reflect this modification and to forward a certified copy to the Department of Corrections.

KOLKEY, J.

We concur: SIMS, Acting P.J.
 NICHOLSON, J.

Crim. THE PEOPLE (Not for Publication)
No. v.
C028104 PRESILIANO LARA ROMERO

The judgment is modified to strike the section 1202.45 restitution fines imposed in case nos. 11534 and 13038. As modified, the judgment is affirmed. The trial court is directed to prepare and amended abstract of judgment and to forward a certified copy to the Department of Corrections.

KOLKEY, J.

We concur: BLEASE, Acting P.J.
 CALLAHAN, J.

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT
THURSDAY, NOVEMBER 18, 1999 CONTINUED**

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Civil VIDALA SENFTNER
No. v.
C033473 GLORIA MARTINEZ-SENFTNER et al.
BY THE COURT:

Respondent's motion to dismiss the appeal is granted. The appeal filed in Placer County superior court on August 23, 1999, is dismissed. (See California Rules of Court, rule 41©.)

Dated: November 18, 1999

SCOTLAND, P.J.

Crim. THE PEOPLE (Not for Publication)
No. v.
C028819 FREDERICK RAYMOND TATUM

The judgment is reversed and the matter remanded to the trial court for further proceedings pursuant to section 1368 to determine defendant's present competency to stand trial.

KOLKEY, J.

We concur: DAVIS, Acting P.J.
 NICHOLSON, J.

Civil STEWART TITLE GUARANTY COMPANY
No. v.
C032745 STATE OF CALIFORNIA HOUSING FINANCE AGENCY
BY THE COURT:

Pursuant to the written request of the appellants, the appeal filed May 27, 1999, is dismissed. It is further ordered that the remittitur issue forthwith. (See Cal. Rules of Court, rule 19(b).)

Dated: November 18, 1999

SCOTLAND, P.J.

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT
FRIDAY, NOVEMBER 19, 1999**

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At 9:30 a.m., the court met in the Library & Courts Building for a continuation of court calendar session.

PRESENT: SCOTLAND, Presiding Justice
 BLEASE, Associate Justice
 CALLAHAN, Associate Justice

Bailiff: Rios.
Calendar called.

Civil MAE NEWMAN
No. v.
C027428 DONALD LEE JORDAN et al.

Cause called. Deborah D. Ditore, of Duncan, Ball, Evans & Ubaldi argued for Defendants-Appellants. Timothy M. Smith, of McKinley & Smith argued for Plaintiff-Respondent. Cause submitted. (Consolidated with C028310)

Civil MAE NEWMAN
No. v.
C028310 DONALD LEE JORDAN et al..

Cause called. Deborah D. Ditore, of Duncan, Ball, Evans & Ubaldi argued for Defendants-Appellants. Timothy M. Smith, of McKinley & Smith argued for Plaintiff-Respondent. Cause submitted. (Consolidated with C027428)

At 10:00 a.m., court recessed. At 10:03 a.m., the court reconvened with Presiding Justice Scotland, Associate Justice Nicholson, and Associate Justice Morrison.

Civil BOEHM & ASSOCIATES et al.
No. v.
C031700 WORKERS' COMPENSATION APPEALS BOARD et al.

Cause called. Robert Feinglass, of Boehm & Associates argued for Petitioner. Nancy Roberts, of Boehm & Associates appeared for Petitioner but did not argue. Don E. Clark, argued for Respondent Sheldon Moore et al. Cause submitted.

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT
FRIDAY, NOVEMBER 19, 1999 CONTINUED**

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At 10:21 a.m., court recessed. At 10:25 a.m., court reconvened with Presiding Justice Scotland, Associate Justice Sims, and Associate Justice Callahan.

Civil FORTY-NINER SIERRA RESOURCES, INC.
No. v.
C028664 NEW MOTOR VEHICLE BOARD
 DEPARTMENT OF MOTOR VEHICLES

Cause called. Richard E. Wilmshurst argued for Himself in Pro Per as Plaintiff-Appellant Richard E. Wilmshurst. James Ching, Deputy Attorney General argued for Real party in interest-Respondent. Cause submitted.

At 10:36 a.m., court recessed. At 2:00 p.m., court reconvened with Acting Presiding Justice Blease, Associate Justice Sims, and Associate Justice Nicholson.

Crim. THE PEOPLE
No. v.
C031559 VANCE PATRICK HOPKINS

Cause called. George L. Schraer, court appointed counsel argued for Defendant-Appellant. Wanda Hill Rouzan, Deputy Attorney General argued for Plaintiff-Respondent. Cause submitted.

Court recessed at 2:09 p.m., until 9:30 a.m., Monday, November 22, 1999

Juvenile In re TIANA R. et al., Persons Coming Under the Juvenile Court Law.
No. DEPARTMENT OF HEALTH AND HUMAN SERVICES
C033194 CHRISTINE R.
 BY THE COURT:

No claim of error having been raised by appellant Christine R., the appeal filed July 22, 1999, is dismissed as abandoned. (In re Sade C. (1996) 13 Cal. 4th 952, 994.)

Dated: November 19, 1999

SCOTLAND, P.J.

FRIDAY, NOVEMBER 19, 1999 CONTINUED

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Juvenile CAROL R. et al. (Not for Publication)
No. v.
C033680 THE SUPERIOR COURT OF SUTTER COUNTY
 SACRAMENTO COUNTY DEPARTMENT OF HUMAN SERVICES et
 al.

The petitions are denied. The requests for stay are denied as moot.
SIMS, Acting P.J.

We concur; NICHOLSON, J.
 KOLKEY, J.

Crim., THE PEOPLE (Not for Publication)
No. v.
C030978 JOSE FRANCISCO NAVAS

Because the record shows the trial court discussed the relevant facts
and reached a decision in conformity with the spirit of the of we affirm the
court's ruling. (Myers, supra, 69 Cal. App. 4th at p. 310.)
DAVIS, J.

We concur: SIMS, Acting P.J.
 RAYE, J.

Crim. THE PEOPLE (Not for Publication)
No. v.
C030999 JAVIER GAMA GONZALEZ

The judgment is affirmed.
DAVIS, J.

We concur: BLEASE, Acting P.J.
 CALLAHAN, J.

Crim. TH EPEOPLE (Not for Publication)
No. v.
C030384 JAMES EDWARD COVEY

The judgment is affirmed.
MORRISON, J.

We concur: NICHOLSON, Acting P.J.
 CALLAHAN, J.

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT
FRIDAY, NOVEMBER 19, 1999 CONTINUED**

19

Crim. THE PEOPLE (Not for Publication)
No. v.
C032292 OSCAR DAVID GONZALES
The judgment is affirmed.
MORRISON, J.
We concur: SCOTLAND, P.J.
DAVIS, J.

Crim. THE PEOPLE (Not for Publication)
No. v.
C031501 NORMAN DANIEL MILLSAPS
The judgment is affirmed.
SIMS, Acting P.J.
We concur: RAYE, J.
KOLKEY, J.

Crim. THE PEOPLE (Not for Publication)
No. v.
C030996 THOMAS AUSTIN HAWKINS
Insofar as it fails to award presentence credit, the judgment is reversed and the cause is remanded to the trial court for further proceedings consistent with this opinion. In all other respects, the judgment is affirmed.
CALLAHAN, J.
We concur: NICHOLSON, Acting P.J.
MORRISON, J.

Crim. THE PEOPLE (Not for Publication)
No. v.
C030967 K'SEAN JOSEPHUS JACKSON
The appeal is dismissed.
SIMS, Acting P.J.
We concur: RAYE, J.
KOLKEY, J.

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT
FRIDAY, NOVEMBER 19, 1999 CONTINUED**

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Crim. THE PEOPLE
No. v.
C030237 STEVEN JOSEPH JONES
The judgment is affirmed.

MORRISON, J.

I concur: RAYE, J.
I concur in the judgment and opinion except as to part VI and VIII of the
discussion, as to which I concur in the result.
BLEASE, Acting P.J.

Civil JERRY FORKNER (Not for Publication)
No. v.
C029950 DONALD BLACKBURN, SR. et al.
The judgment is affirmed.

DAVIS, J.

We concur: BLEASE, Acting P.J.
RAYE, J.